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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAM MOSS KERFOOT,

Defendant.

CASE NO. 2:23-CR-00269-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: February 20, 2024
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 20, 2024.
2. By this stipulation, defendant now moves to continue the status conference until May 14, 2024, at 9:30 a.m., and to exclude time between February 20, 2024, and May 14, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports and related documents in electronic form including approximately 900 pages of documents. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to consult with his client, review the discovery for this matter, review the current charges, to conduct investigation and research related to the charges, and to otherwise prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 20, 2024 to May 14, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: February 8, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ALSTYN BENNETT
ALSTYN BENNETT
Assistant United States Attorney

Dated: February 8, 2024

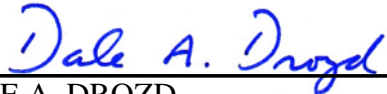
/s/ DOUGLAS BEEVERS
DOUGLAS BEEVERS
Counsel for Defendant
SAM MOSS KERFOOT

ORDER

Pursuant to the stipulation of the parties and good cause appearing, the status conference previously scheduled for February 20, 2024, is continued to May 14, 2024, at 9:30 a.m., and time is excluded between February 20, 2024, and May 14, 2024, under Local Code T4.

IT IS SO ORDERED.

Dated: February 8, 2024



DALE A. DROZD
UNITED STATES DISTRICT JUDGE